

STATE OF NORTH CAROLINA

NASH County

File No.

21 CVD 238

Serve by 3/15

In The General Court Of Justice

☒ District ☐ Superior Court Division

Name Of Plaintiff

G. SCOTT MILLS

Address

City, State, Zip

VERSUS

Name Of Defendant(s)

KATHERINE L. MOORE

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3, 4

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Katherine L. Moore
7913 Old Bunch Road
Zebulon, NC 27597

Name And Address Of Defendant 2

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff)

Robert D. Kornegay, Jr.
P. O. Box 7845
Rocky Mount, NC 27804

Date Issued

2/19/21

Time

9:13

☒ AM
☐ PM

Signature

Mikki J. Miney

☒ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM
☐ PM

Signature

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

AOC-CV-100, Rev. 6/11

(Over)

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Exhibit 1

NORTH CAROLINA
NASH COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
21-CVD- 238

G. SCOTT MILLS,)
Plaintiff)
vs.)
KATHERINE L. MOORE,)
Defendant)

COMPLAINT

FILED
2021 FEB 19 A 9:14
NASH COUNTY, C.S.C.

NOW COMES the Plaintiff, by and through his attorney, and does say and allege as follows:

1. That Plaintiff is a citizen and resident of Spring Hope, Nash County, North Carolina.
2. That it is herein alleged upon information and belief that the Defendant is a citizen and resident of Zebulon, Wake County, North Carolina.
3. That the parties were never married but of their relationship was born one child, namely Katherine Scott Moore, whose date of birth is December 21, 2020...
4. That the Plaintiff alleges upon information and belief that the parties are in fact the natural, putative, and biological parents of the child.
5. That the Plaintiff has been a citizen and resident of the State for more than six months prior to the commencement of this action.
6. That both parties are capable and able bodied and can afford to contribute support to the child in accordance with the guidelines once custody has been settled.

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served Time Served ☐ AM ☐ PM Name Of Defendant

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☐ Other manner of service (specify)

☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served Time Served ☐ AM ☐ PM Name Of Defendant

- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

☐ Other manner of service (specify)

☐ Defendant WAS NOT served for the following reason:

Service Fee Paid

\$

Signature Of Deputy Sheriff Making Return

Date Received

FEB 22 2021

Name Of Sheriff (Type Or Print)

GERALD M. BAKER, SHERIFF

Date Of Return

County Of Sheriff

7. That the Plaintiff alleges upon information and belief that he is a fit, suitable, and proper person for primary custody of the minor child and that as between the parties, he is the best and more fit and suitable for purposes of primary custody.

8. That the Plaintiff alleges upon information and belief that it would be in the minor child's best interest that her primary care, custody, and control shall be placed with the Plaintiff, subject to reasonable visitation with the Defendant.

9. That she seems to have some sort of paranoid problem with the Plaintiff being alone or entrusted with the care and control of the child. That she has never had or raised children before. He has a child of his own, who he has been raising since birth, and has participated otherwise in helping or assisting to raise nieces and nephews and has plenty and adequate experience in the raising of children.

10. That the Plaintiff needs the assistance of the court to determine the Defendant's responsibility with regards to paying deductible and unreimbursed costs not covered by existing insurance for the child.

11. That the Plaintiff is fearful that she may attempt to take the child and leave the State of North Carolina and needs the assistance of the court to order that no one shall remove the child from the State of North Carolina without prior approval of the court.

12. That the Defendant would not agree that his name be put on the birth certificate and he requests the assistance of the court to order that his name be added to the birth certificate as the father of the child and that if necessary, all parties submit to blood and DNA testing to confirm that he is in fact the father.

13. That the Plaintiff is an interested party in this cause who is acting in good faith and who has insufficient means to defray the expenses of this action; that this is not a frivolous proceeding and Plaintiff alleges that his counsel is entitled to a reasonable attorney's fee for professional services rendered.

WHEREFORE, the Plaintiff prays the Court as follows:

1. That the Plaintiff be granted primary custody of the child.
2. That the Defendant be granted reasonable visitation.
3. That the Court shall determine child support in accordance with the guidelines.
4. That the Defendant be made to pay her proportionate share of deductible and unreimbursed costs not covered by insurance.
5. That the Defendant not be allowed to remove the child from the State of North Carolina without prior court approval.
6. That the Plaintiff have the assistance of the court to order that his name shall be put on the child's birth certificate.
7. That the Plaintiff have and recover of the Defendant his attorney's fees.
8. For such other and further relief as to the Court seems just and proper in the nature of this cause.

This the 17 day of February, 2021.

R. D. Kornegay, Jr.
Robert D. Kornegay, Jr.
ROBERT D. KORNEGAY, JR., P.L.L.C.
Post Office Box 7845
Rocky Mount, NC 27804
Telephone: (252) 442-8037
Fax: (252) 442-0052

VERIFICATION

NORTH CAROLINA

NASH COUNTY

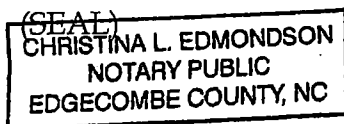
G. SCOTT MILLS, first being duly sworn, deposes and says that he is the Plaintiff in the above-entitled action; that he has read the foregoing COMPLAINT and that the same is true of his own knowledge except as to those matters and things therein stated upon information and belief and, as to those, he believes the same to be true.

G. Scott Mills
G. Scott Mills

Sworn to and subscribed before me,
a Notary Public, this the 15
day of February, 2021.

Christina L. Edmondson
Notary Public

My Commission Expires: 2/1/26



NORTH CAROLINA

NASH COUNTY

G. SCOTT MILLS,

Plaintiff

vs.

KATHERINE L. MOORE,

Defendant

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

21-CVD-238

CUSTODY MEDIATION
ORIENTATION NOTICE

BY

NASH COUNTY, C.S.C.

2021 FEB 19 A 9:14

FILED

Pursuant to N.C.G.S. 50-13, the above captioned case has been set for mandatory mediation of all custody and visitation issues.

Notice is hereby given to all parties that they are required to view the online video at <https://survey.nccourts.org/1490213386> on or before March 9, 2021 to participate in the orientation program required by the court. The orientation video will last approximately one hour.

PARTIES WHO FAIL TO COMPLY WITH THIS NOTICE MAY BE SUBJECT TO THE CONTEMPT POWERS OF THE COURT.

The orientation program will focus on the goals of mediation, which are as follows:

1. Reduce acrimony between the parties;
2. Reach agreements in the child's best interest;
3. Give the parties responsibility for making decisions about their child;
4. Provide a confidential, non-adversarial setting to minimize the stress and anxiety of the parties and their child; and
5. Reduce re-litigation of custody disputes.

This the 17 day of February, 2021.

R. D. Shumway
Attorney for Plaintiff

Certificate of Service

I certify that a copy of this notice was served by:

_____ depositing a copy enclosed in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care of the U.S. Postal Service directed to: _____ plaintiff, _____ defendant, _____ plaintiff's attorney, _____ defendant's attorney

OR

X attaching a copy of the plaintiff's complaint or the moving party's motion and served with same pursuant to the N.C. Rules of Civil Procedure.

Signature: R. D. Hargrove, Title: Attorney for Plaintiff

Date 2-17-21

Phillip Wall
Custody Mediation Program
7th Judicial District



Re: Custody Mediation Orientation/Sessions

Dear Party:

Please read the important information about the status of your Orientation below:

Given the decision by Chief Justice Beasley to significantly reduce Court activity in courthouses, we have made the following changes to Custody Mediation Orientations:

All orientations are taking place online.

Please use the provided link below.

- 1. You may complete a self-directed orientation.** This option is available in both English and Spanish. In order to access the orientation, press control and click on the appropriate link. You are required to watch the full orientation. At the completion of the orientation, click "continue" in the lower left hand corner. You will need to fill out the box that verifies your participation.

English is <https://survey.nccourts.org/1490213386>

Spanish is <https://survey.nccourts.org/1516638567>

If you are unable to participate in orientation online then you can schedule on one of the pre-existing dates in the clerks office for an in-person orientation at the courthouse.

Please contact by telephone (252-290-0914) or email (Phillip.b.wall@nccourt.org) When you call, please provide a working phone number, physical mailing address and email address.

After you have completed orientation you will then be emailed a confidential intake form to fill out and email back to return.

STATE OF NORTH CAROLINA

NASH

County

File No.

21-CVD-238

In The General Court Of Justice

☒ District ☐ Superior Court Division

G. SCOTT MILLS

Additional File Numbers

VERSUS

KATHERINE L. MOORE

SUBPOENA

G.S. 1A-1, Rule 45

Party Requesting Subpoena

☐ State/Plaintiff ☐ Defendant

NOTE TO PARTIES NOT REPRESENTED BY COUNSEL: Subpoenas may be produced at your request, but must be signed and issued by the office of the Clerk of Superior Court, or by a magistrate or judge.

TO

Name And Address Of Person Subpoenaed

Katherine L. Moore
11230 Lilygate Terrace, Apt. 2-C
Raleigh, NC 27614

Alternate Address

Telephone No.

Telephone No.

YOU ARE COMMANDED TO: (check all that apply):

- ☐ appear and testify, in the above entitled action, before the court at the place, date and time indicated below.
☐ appear and testify, in the above entitled action, at a deposition at the place, date and time indicated below.
☒ produce and permit inspection and copying of the following items, at the place, date and time indicated below.
☐ See attached list. (List here if space sufficient) *individual*

Katherine Scott Moore

Name And Location Of Court/Place Of Deposition/Place To Produce

District Courtroom
Nash County Courthouse
Nashville, NC 27856

Date To Appear/Produce

04/20/2021

Time To Appear/Produce

9:30

☒ AM ☐ PM

Name And Address Of Applicant Or Applicant's Attorney

Robert D. Komegay, Jr.
P. O. Box 7845
Rocky Mount, NC 27804

Date

04/06/2021

Signature

R. D. Komegay, Jr.

Telephone No.

(252) 442-8037

☐ Deputy CSC

☐ Magistrate

☐ Assistant CSC

☒ Attorney/DA

☐ Clerk Of Superior Court

☐ District Court Judge

☐ Superior Court Judge

RETURN OF SERVICE

APR 12 2021

I certify this subpoena was received and served on the person subpoenaed as follows:

- By ☐ personal delivery.
☐ registered or certified mail, receipt requested and attached.
☐ telephone communication (For use only by the sheriff's office for witness subpoenaed to appear and testify.)
☐ I was unable to serve this subpoena. Reason unable to serve: _____

Service Fee

☐ Paid

Date Served

Signature Of Authorized Server

Title

\$

☐ Due

NOTE TO PERSON REQUESTING SUBPOENA: A copy of this subpoena must be delivered, mailed or faxed to the attorney for each party in this case. If a party is not represented by an attorney, the copy must be mailed or delivered to the party. This does not apply in criminal cases.

(Please See Reverse Side)

AOC-G-100, Rev. 10/12

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GERALD M. BAKER, SHERIFF